

Response to Restriction Requirement  
and Preliminary Amendment  
Date: May 4, 2006

Serial No. 10/601,913  
Atty. Docket No. GP087-04.CN1

Response to Restriction Requirement

In response to the restriction requirement set forth in paragraph 1 of the Examiner's Office Action, Applicants hereby elect to prosecute the claims of Group I (claims 1-10) without traverse. Additionally, in response to the restriction requirement set forth in paragraph 4 of the Examiner's Office Action, Applicants hereby elect to prosecute a first hybridization assay probe targeting a first nucleic acid target region selected from the group consisting of SEQ ID NO:5, SEQ ID NO:6, SEQ ID NO:7 and SEQ ID NO:8 for use in determining the presence of HPV Type 16 nucleic acid in a sample; a second hybridization assay probe targeting a second nucleic acid target region selected from the group consisting of SEQ ID NO:85, SEQ ID NO:86, SEQ ID NO:87 and SEQ ID NO:88 for use in determining the presence of HPV Type 18 nucleic acid in a sample; a set of amplification oligonucleotides for use in amplifying HPV Type 18 nucleic acid in a sample, where the first amplification oligonucleotide targets a nucleic acid target region selected from the group consisting of SEQ ID NO:1, SEQ ID NO:2, SEQ ID NO:3 and SEQ ID NO:4, and where the second amplification oligonucleotide targets a nucleic acid target region selected from the group consisting of SEQ ID NO:85, SEQ ID NO:86, SEQ ID NO:87 and SEQ ID NO:88; and a helper probe targeting a nucleic acid target region selected from the group consisting of SEQ ID NO:121, SEQ ID NO:122, SEQ ID NO:123 and SEQ ID NO:124 for facilitating hybridization of the second probe to the second target region. The four sequences within each group of sequence identifiers are related as RNA, DNA equivalents, and exact complements thereof and, accordingly, should be examined together. Claims 1, 2, 4, 5, 8, 11 and 13-15 have been amended herein consistent with Applicants' sequence election. Claims 3, 6, 7, 9, 10, 12 and 16-19, which are directed to non-elected sequences, are canceled herein without prejudice to the prosecution of the subject matter of these claims in this or a future continuing application. And claims 11 and 13-15 are withdrawn herein consistent with Applicants' election of the Group I claims.

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Conclusion

Applicant submits that the subject application is in condition for allowance and early notice to that effect is hereby respectfully requested.

Please charge the fees due in connection with this Response to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

Date: May 4, 2006

By:

Respectfully submitted,



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